

CITY OF SPRINGFIELD
INTER-OFFICE MEMORANDUM

ATTENTION OF MEMO TO FILE

DATE April 4, 1975

DEPARTMENT

Re: Hugh Dennis Oil and Grease

This morning at approximately 9:30 a.m. a truck bearing the name Double Eagle Lubricants of ^{OKLAHOMA CITY} ~~REDACTED~~, ~~REDACTED~~ was apparently loading oil from a tank or unloading at this Jordan Creek location. I am not sure what type of tank arrangement was involved but it could be either an oil-water separator or a storage tank for re-refined oil in bulk to facilitate dispensing into smaller bulk containers. Again, I am not quite sure if this truck was loading used oil or unloading re-refined oil. Further investigation will follow.

J. Randall Lyman
J. Randall Lyman
Water Pollution Control
Surveillance & Enforcement

1101 E. TAMPA

SIGNED



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
1735 BALTIMORE
KANSAS CITY, MISSOURI 64108

April 12, 1977

Mr. Charles H. Criswell
Chief, Water Pollution Control
City of Springfield
City Hall
830 Boonville Avenue
Springfield, Missouri 65802

Dear Mr. Criswell:

Hugh Dennis Oil and Grease Company
Springfield, Missouri
Spill Report No. 75-339

This is in response to your letter to John Kemp dated March 31. Mr. Kemp took another position outside of the Environmental Protection Agency nearly a year ago.

On January 29, 1976, the Director of the Enforcement Division referred the above-referenced case to the U.S. Coast Guard for civil action under 33 U.S.C. 1321(b)(6) and to the U.S. Attorney for criminal action for failure to report under 33 U.S.C. 1321(b)(5). The Coast Guard assessed a \$300 civil penalty, which was collected on February 2, 1976. The U.S. Attorney declined prosecution and instead sent a warning letter to the company stating that any failure to report in the future would likely result in criminal prosecution. Copies of all pertinent correspondence are enclosed for your file.

Regarding the SPCC violation, we agreed to compromise the proposed civil penalty of \$2500 to \$0 conditional upon full implementation of the company's SPCC Plan by April 15, 1976. The company has certified that the implementation work was completed on April 7, 1976.

We appreciate your investigative work in documenting this case and I sincerely apologize for our oversight in not keeping you informed in this matter. If you should have any questions or need further information, please give me a call at 816-374-2576.

Sincerely yours,

Michael J. Sanderson
Michael J. Sanderson
Attorney, Legal Branch
Enforcement Division

Enclosures

1101 E TAMM

HUGH DENNIS GREASE AND OIL CO.

Main P. O. Box 641 Phone 862-1114 or 862-4404
1101 - 03 East Tampa
SPRINGFIELD, MISSOURI 65801

June 4, 1976

Mike Sanderson
U. S. Environmental Protection Agency
Region VII
1735 Baltimore
Kansas City, Missouri 64108

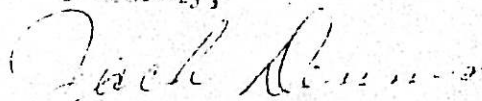
Dear Mike,

In response to our telephone call of June 3rd. The stipulation sent to us was in the file. In reference to the letter of stipulation paragraph 2: Respondent shall immediately notify in writing, the Director, Enforcement Division, United States Environmental Protection Agency, Region VII, when the additional implementation work has been completed.

This letter is in response to the above paragraph of stipulation; stating that upon April 7, 1976, add'l implementation work was completed upon this location.

Please except my apology for the inefficient manner in which I have handled my answer.

Sincerely,



John A. (Jack) Dennis
Vice-President

JAD/cb

101
30

9/2/76

1101 E. TAMPA

April 6, 1976

Hugh Dennis Oil & Grease Company
Attn: Mr. Hugh Dennis, President
1101 E. Tampa
Springfield, Missouri 65803

Re: Violations of Title 33, United States Code
Section 1321(b)(5), Failure to Report Oil
Spills into Navigable Waters

Dear Mr. Dennis:

It has come to the attention of this office that on December 5, 1975, a valve on one of your storage tanks broke causing oil to flow into Jordan Creek. This is to inform you that when such a spill occurs it is your duty under the authority of 33 U.S.C. § 1321 to report such oil spill to the Environmental Protection Agency.

There are criminal sanctions for failure to so report. It is not my desire to prosecute you criminally at this time. However, I do wish to inform you that any failure to report such happenings in the future can, and in the likelihood will, result in criminal prosecution. Thank you for your cooperation in this matter.

Very truly yours,

BERT C. HURN
United States Attorney

By

JAMES C. ENGLAND
Assistant United States Attorney

JCE/mg

2P51309
27 February 1976

Hugh Dennis Grease and Oil Co.
Main P. O. Box 641
Springfield, MO 65801
Attn: Mr. J. A. Dennis

RE: Oil Pollution Case 2P51309

Dear Mr. Dennis:

I have reviewed the case file together with the matter presented in your letter of 23 February 1976. I find there was a violation of 33 USC 1321(b)(3) in that a harmful quantity of oil was discharged from a Hugh Dennis storage tank into the South Branch of Jordan Creek on 5 December 1975.

In consideration of all the circumstances of this discharge, penalty of \$300.00 is assessed. Your check No. 11229 is accepted in satisfaction of this penalty. The case is now closed.

Sincerely,

J. D. WEBB
Commander, U. S. Coast Guard
Chief, Environmental Protection Branch
By direction of the District Commander

Copy to:
EPA Kansas City (75-339)
Blind copy to:
CCGD1(fac-1) Collection Clerk

1101 E. TX

ENVIRONMENTAL PROTECTION AGENCY

January 26, 1976

Commander James D. Webb
2nd Coast Guard District (mep)
1620 Market Street
St. Louis, Missouri 63103

Dear Commander Webb:

Hugh Dennis Oil & Grease Company
Springfield, Missouri
Spill Report No. 75-339

The above-named company experienced a spill of approximately 500 gallons of re-refined oil into Jordan Creek, a water of the United States, on December 5, 1975. The spill occurred when a valve on a storage tank broke off causing the re-refined oil to flow 50 feet and enter Jordan Creek.

At no time did the company report this spill of re-refined oil to the U.S. Environmental Protection Agency, Region VII, Kansas City, Missouri. A report of the oil spill was submitted to the U.S. Environmental Protection Agency by personnel of the Pollution Control Department of the City of Springfield, Missouri. Upon investigation it was learned the spiller was Hugh Dennis Oil and Grease Company, Springfield, Missouri. The City personnel investigators then informed the Company officials of their duty to report this oil spill to EPA and still the Company officials did not report the spill to EPA.

Mr. Dennis Bell, Sanitary Engineer, Emergency Response Section, U.S. Environmental Protection Agency, Region VII, traveled to the spill scene shortly after learning of the spill. He was able to see oil stains on the ground which showed the path the oil took as it flowed into Jordan Creek. Although Mr. Bell did not observe Hugh Dennis Oil & Grease Company's oil flowing into Jordan Creek, the City of Springfield employees did observe such a discharge. Their report, as well as Mr. Bell's, is contained in the Litigation Report included herein.

We are referring this case to you for civil action under 33 U.S.C. 1321(b)(6). We are also referring this case to the United States Attorney for criminal action under 33 U.S.C. 1321(b)(5). If you have any questions, please contact Mr. John D. Kemp, Attorney, Legal Branch Enforcement Division, at 816-374-2576.

Very truly yours,

Earl J. Stephenson
Director

1101 E.

BCC: MR. DAVID LYONS
MR. CARL WALTER
Missouri Department of Natural Resources
MS. TALVA HAYES
ENFC-LEGL-JDKemp:mjw-1-26-76-x2186

SYMBOL

SURNAME

DATE

1-26-76
1/26
1/26

ENVIRONMENTAL PROTECTION AGENCY

January 26, 1976

Mr. Bert C. Hurn
 U.S. Attorney
 549 U.S. Court House
 811 Grand Avenue
 Kansas City, Missouri 64106

Dear Mr. Hurn:

Hugh Dennis Oil & Grease Company
 Springfield, Missouri
Spill Report No. 75-339

The above-named company experienced a spill of approximately 500 gallons of re-refined oil into Jordan Creek, a water of the United States, on December 5, 1975. The spill occurred when a valve on a storage tank broke off causing the re-refined oil to flow 50 feet and enter Jordan Creek.

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CONCURRENCES

SYMBOL	▶ E. L. King						
SURNAME	▶ Kern	pm	RL				1161 E.
DATE	▶ 1-26-76	1/26	1/26				

We are referring this case to you for criminal action for the company's failure to report an oil spill into waters of the United States under authority of 33 U.S.C. 1321(b)(5). We are also referring this case to the U.S. Coast Guard for civil action under 33 U.S.C. 1321(b)(6). If you have any questions, please contact Mr. John D. Kemp, Attorney, Legal Branch, at 816-274-2186.

Very truly yours,

Earl J. Stephenson
Director
Enforcement Division

Enclosure

bcc: Mr. David Lyons
Mr. Carl M. Walter
Missouri Department of Natural Resources
Ms. Talva Hayes

ENFC-LEGL-JDKemp:mjw-1-26-76-x2186